

### **REMARKS/ARGUMENTS**

Claims 1-45 were pending in this application at the time the present Office Action was mailed. Claims 1, 15 and 22 have been amended to clarify certain aspects of these claims. Claim 22 has been amended only to correct the antecedent basis of the phrase "reflective medium" without narrowing the scope of the claim. Claims 29-34 have been cancelled without prejudice and without commenting on or conceding the merits of the rejections of these claims. Accordingly, claims 1-28 and 35-45 are now pending in this application.

Claims 1-45 were rejected in the Office Action. More specifically, the status of the claims in light of the Office Action are as follows:

(A) Claims 1-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,379,867 to Mei et al. ("Mei");

(B) Claims 22-34 stand rejected under 35 U.S.C. § 103(a) as being obvious in light of one or more of the following references: U.S. Patent No. 6,291,110 to Cooper ("Cooper"), U.S. Patent No. 6,251,550 to Ishikawa ("Ishikawa"), U.S. Patent No. 5,684,566 to Stanton ("Stanton"), and U.S. Patent No. 6,392,740 to Shiraishi et al. ("Shiraishi"); and

(C) Claims 35-45 stand rejected under 35 U.S.C. § 103(a) as being obvious in light of Mei.

The undersigned attorney wishes to thank the Examiner for engaging in a telephone conference on July 24, 2003. During the telephone conference, the Examiner and the undersigned attorney discussed the present Office Action, the above-cited references, and the pending claims. The following remarks summarize and expand upon the agreements reached during the July 24 telephone conference.

A. Response to the Section 102(e) Rejection—Mei

Claims 1-21 were rejected under 35 U.S.C. § 102(e) as being anticipated by Mei. Independent claims 1 and 15 have been amended in accordance with the agreement

reached between the undersigned attorney and the Examiner during the July 24 telephone conference. During the July 24 conference, the Examiner indicated that claims 1 and 15 with the current amendment patentably distinguish over the applied reference. Accordingly, the Section 102 rejection of claims 1 and 15 should be withdrawn.

Claims 2-14 depend from patentable independent claim 1 and are patentable over the applied reference for the reasons discussed above and for the additional features of these dependent claims. Accordingly, the Section 102 rejection of these claims should be withdrawn.

Claims 16-21 depend from patentable independent claim 15 and are patentable over the applied reference for the reasons discussed above and for the additional features of these dependent claims. Accordingly, the Section 102 rejection of these claims should be withdrawn.

B. Response to the Section 103(a) Rejection—Cooper, Ishikawa, Stanton, or Shiraishi

Claims 22-34 were rejected under 35 U.S.C. § 103(a) as being obvious in light of one or more of the following references: Cooper, Ishikawa, Stanton, or Shiraishi. Claims 29-34 have been cancelled without prejudice and without commenting on or conceding the merits of the rejections of these claims. Accordingly, the rejections of these claims are now moot.

During the July 24 telephone conference, the Examiner provisionally agreed that the features of claim 22 (e.g., moving portions of a reflective medium relative to each other, reflecting different portions of a radiation beam to different portions of a grating having different transmissivities, and passing a portion of the radiation through the grating while attenuating and/or blocking another portion of the radiation with the grating) are neither disclosed nor suggested by the applied references. Accordingly, the Section 103 rejection of claim 22 should be withdrawn. Claims 23-28 depend from patentable independent claim 22 and are patentable over the applied references for the

reasons discussed above and for the additional features of these dependent claims. Accordingly, the Section 103 rejection of these claims should be withdrawn.

C. Response to the Section 103(a) Rejection—Mei

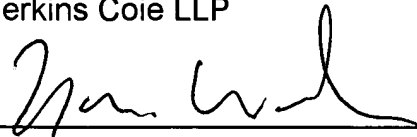
Claims 35-45 were rejected under 35 U.S.C. § 103(a) as being obvious in light of Mei. During the July 24 telephone conference, the Examiner indicated that the features of claim 35 are neither disclosed nor suggested by the applied reference. Accordingly, the Section 103 rejection of claim 35 should be withdrawn. Claims 36-45 depend from patentable independent claim 35 and are patentable for the reasons discussed above and for the additional features of these dependent claims. Accordingly, the Section 103 rejection of these claims should be withdrawn.

D. Conclusion

In view of the foregoing amendments and remarks, all of the pending claims are in condition for allowance. Therefore, applicant requests reconsideration of the application and an allowance of all pending claims. If the Examiner wishes to discuss any aspects of the pending claims, the Examiner is encouraged to call the undersigned attorney at (206) 287-3257.

Respectfully submitted,

Perkins Coie LLP



John M. Wechkin

Registration No. 42,216

Date: July 28, 2003

**Correspondence Address:**

Customer No. 25096  
Perkins Coie LLP  
P.O. Box 1247  
Seattle, Washington 98111-1247  
(206) 583-8888